

**MINUTES OF THE REGULAR MEETING OF
THE EDINA PLANNING COMMISSION
WEDNESDAY, AUGUST 31, 2000, 7:30 P.M.
EDINA CITY HALL COUNCIL CHAMBERS
4801 WEST 50TH STREET**

MEMBERS PRESENT:

**Chairman Johnson, Ann Swenson, David Byron, Helen McClelland,
Charles Ingwalson and Geoffrey Workinger**

MEMBERS ABSENT:

David Runyan and Lorelei Bergman

STAFF PRESENT:

Craig Larsen and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the July 26, 2000, Planning Commission minutes were filed as submitted.

II. NEW BUSINESS:

**Z-00-3 Preliminary Rezoning for Edward and Lisa Noonan
R-1, Single Dwelling Unit District to PCD-1, Planned
Commercial District
4528 France Avenue South**

Mr. Larsen told the Commission the subject property is developed with a one story garage/warehouse building located in the westerly portion of the site. A small area within the garage has been used for offices. The roof of the structure is at approximately the same grade as France Avenue. The property is zoned R-1, Single Dwelling Unit District. In 1965, when the site was still part of the Village of Morningside, the Village Council approved occupancy by a heating and air conditioning company. They did not, however, rezone the property. The following year the Village of Morningside became part of Edina. Since that time the building has housed a number of uses, including a silver smelting operation, of contractors, and at one time it even contained a dwelling unit. Most recently the building has housed a collection of classic cars. The use of the property for storage, warehousing and office use is considered legally non-conforming.

Mr. Larsen explained the property was recently acquired by Noonan Construction. The new owner seeks to rezone the property to Planned Commercial, PCD-1 to allow construction of 2,269 square foot building to be used for office and general retail use. The building would have a full basement that would walk out at the same level as the entrance to the existing building. The exterior concept illustrates a brick and glass exterior.

Mr. Larsen said the Zoning ordinance requires 30 spaces for a building of 4,358 square feet, which includes 2 spaces for the shop space in the garage. The proposed plan provides 21 spaces, of which six are located on the street side of the new building. Thus, a 9 space parking quantity variance is requested.

Mr. Larsen pointed out the City adopted a Redevelopment Plan for the 44th and France Commercial Area in 1990. The Plan illustrated the subject property as part of a larger scale redevelopment which included the building now operating as the Edina Cleaners. The redevelopment was envisioned as neighborhood scale retail. Staff is not aware of any plans by the owners of the cleaners to undertake a redevelopment. Redevelopment of the subject property would not prevent a future development of the cleaners site.

Mr. Larsen concluded the proposed use is consistent with the adopted Redevelopment Plan, and thus, is consistent with the Comprehensive Plan. The location of the proposed building relates well with neighboring buildings, and with the grades of the site. Parking is and will continue to be an issue in the 44th and France area. The loss of the Metro Transit park and ride lot in Minneapolis will make parking tighter. The 21 spaces provided by this proposal represents one of the larger private parking lots in the area. However, the garage spaces are not as visible or convenient as surface spaces. They are likely best utilized by employees. Restaurant and other food related uses would likely cause parking problems in the vicinity. I would recommend that the parking variance be conditioned on a prohibition of restaurants and other food related uses in the new building.

Staff recommends approval of preliminary rezoning to PCD-1 conditioned on:

1. Final rezoning
2. No restaurants or food related uses be allowed as tenants

The proponent, Mr. Edward Noonan was present to respond to questions.

Chairman Johnson commented he finds it difficult to imagine that a short-term visitor would want to go through the trouble to park indoors. Mr. Larsen said staff believes this site will have “destination parkers” that will use the indoor parking spaces on a regular basis. Chairman Johnson agreed that is possible

after the parking situation is learned, but until that time, everyone coming to the site will want to park in the lot. Mr. Larsen agreed there will be a transitional period.

Commissioner Swenson stated it appears the building is constructed very close to the lot line, and questioned if destroyed would this building be able to be rebuilt. Mr. Larsen said the structure can exist in it's present location, and if destroyed rebuilt with a variance. Commissioner Swenson asked Mr. Larsen if the building is structurally sound. Mr. Larsen responded to the best of his knowledge it is sound. Commissioner Swenson noted it is important that vehicles that enter this site will be able to exit onto France Avenue front first. Mr. Larsen agreed. He added he believes there is adequate space to allow vehicles to exit front first.

Commissioner Byron asked Mr. Larsen if he believes two vehicles can pass, one coming, one leaving. Mr. Larsen said he believes that is possible, but acknowledged it will be tight.

Commissioner Byron told Mr. Larsen he is having difficulty envisioning the six parking stalls, and asked Mr. Larsen to point them out. Mr. Larsen with graphics pointed out the six parking stalls at street level, and the 15 stalls in the lower enclosed level.

Commissioner Byron stated in his opinion the lower level stalls will not be the parking choice for visitors who desire to use the proposed retail space.

Commissioner Ingwalson commented he first thought the building would only be occupied by Noonan. Mr. Larsen explained Mr. Noonan is planning on occupying the lower level after his displacement, but retail space will also be available.

Commissioner Workinger asked if the entrance to the lower level enclosed parking area will be electronically triggered. Mr. Larsen said he believes that is how the door will work.

Commissioner Ingwalson questioned what will happen when the retail area is open longer than the office hours. He pointed out he wants to support the proposed change in use, but has concerns regarding parking. Commissioner Ingwalson said he has a concern with the strip mall across the street. He pointed out parking is very limited in the area, and it would not be safe for pedestrians to cross the street getting to and from each retail space.

Commissioner McClelland stated her concern is also with parking. She pointed out the 44th Street area is extremely congested, and in her opinion with additional retail the area will become stressed.

Mr. Noonan addressed the Commission and informed them the HRA served him and his business with condemnation papers, adding at this time there is a pressing need for new office/warehouse space. Mr. Noonan explained he and his wife, Lisa, have been in business for 23 years, and for 10 years Noonan Construction has been located in Edina. Continuing, Mr. Noonan said in his opinion at present the parcel is underutilized, and the investment he and his wife are making is not small, and will probably reach over 1 million dollars. Mr. Noonan said his desire is to upgrade the site, and in the future possibly acquire the Valvoline site. Mr. Noonan emphasized he is very committed to this project and to Edina. Mr. Noonan explained at present he envisions the lower level to be occupied by Noonan Construction, and the upper level to contain tenants. Mr. Noonan said he is unsure of the tenant mix, but is requesting a PCD-1 zoning because he does not want to be restricted in tenant mix. Concluding, Mr. Noonan reiterated he is committed to develop a quality structure, and is committed to Edina and the area. He noted in his opinion at present this site is blighted, and the proposed redevelopment is a plus for the area and the City.

Chairman Johnson asked Mr. Noonan if he has had any contact with Valvoline. Mr. Noonan responded at this time he is trying to find the proper contact person for Valvoline. Mr. Noonan said he is looking forward, and in the future hopes to be able to incorporate the Valvoline site into the present site.

Commissioner Ingwalson asked Mr. Noonan how important a retail zoning is to him. Mr. Noonan stated it is very important. He pointed out presently redevelopment is occurring on the Minneapolis side of France Avenue, and he wants to be part of the redevelopment of the area.

Commissioner Byron said at this time the City does not have a “crystal ball” into the future, adding he is having trouble visualizing both retail and office in this location. Commissioner Byron asked Mr. Noonan his immediate plans.

Mr. Noonan responded his immediate plans are to “clean up” the site, renovate the existing structure, and construct a small two story building. Mr. Noonan said restrooms need to be immediately addressed, adding he is not sure if lift stations will need to be constructed.

Commissioner Byron said he wishes the Commission had the luxury of looking at the entire area for redevelopment, adding we don't. Continuing, Commissioner Byron said he understands the proponents desire to keep his options open, but the Commission has to act on what is before them this evening. Commissioner Byron stated at this time he struggles with the requested zoning change. He said he can envision a two story office complex with parking provided underneath, and at grade level for visitors, but has a difficult time seeing retail as part of this proposal. Commissioner Byron said in his opinion retail is a more intense use, and in an already stressed area, more retail may be a problem.

Mr. Noonan said in his opinion the “neighborhood feel” is for retail. He acknowledged it may be difficult to envision just the “right fit” for this site.

Commissioner McClelland said she agrees with the comments from Commissioner Byron, and cannot support the proposal as presented. She stated at this time the tenant mix is too nebulous, and she is also having a difficult time with the pre-existing parking shortage in the area. Commissioner McClelland concluded she cannot support the proposal as presented.

Mr. Larsen stated he has a concern the Commission is not viewing this proposal on a fair and equitable footing. He pointed out there has been redevelopment in the area, with parking always an issue, and most sites not meeting City code with regard to parking. Concluding, Mr. Larsen said he believes this is a good plan, that will fit the “urban” feel of the area.

Commissioner McClelland responded in her opinion she does not believe she is being unfair. Mr. Larsen interjected, pointing out a natural balance has been established in this area, and there ultimately will be changes that contribute to this balance. Mr. Larsen stated a property owner will not want a tenant mix that will not work within the district, and the proposed rezoning only allows more flexibility within this area.

Mr. Noonan interjected, and asked the Commission to recall Mr. Larsen has already restricted the retail use on this site by prohibiting food use.

Commissioner Ingwolson stated in spite of this initial adverse reaction to the plan presented he believes what Mr. Larsen said is correct. He added he has lived in the neighborhood for many years and has observed there is a self policing aspect present with the market dictating who succeeds. Commissioner Ingwolson said he also has a concern regarding parking, but believes that issue can be adequately addressed.

Commissioner Lonsbury said in his opinion a retail zone creates higher traffic volume, and in his opinion this site is underparked, creating the need for the City to allow a variance from our parking requirements. Commissioner Lonsbury concluded he cannot support the proposal if it includes retail.

Mr. Noonan pointed out if the site is zoned strictly for office use nothing would prevent an “Edina Realty” tenant from moving into this building which would create more traffic than most retail uses. Continuing, Mr. Noonan said he thinks this proposal is a win, win, for Edina. A blighted site will be cleaned up and renovated, and the tax base will increase. Mr. Noonan assured the Commission of his commitment to Edina and to a quality project.

Commissioner Byron told Mr. Noonan it appears from the discussion that members of the Commission have voiced their support for office use on this site, adding he believes Mr. Noonan will do a quality project. Commissioner Byron acknowledged that Mr. Noonan and his business have been displaced by the actions of the City, but added he cannot let that enter into his decision making process. Concluding, Commissioner Byron said this is difficult for him, but he cannot support retail in this location. Parking demands will not be met.

Mr. Larsen said it will be difficult for the City to be successful with regard to parking without the development of a master parking plan.

Commissioner Ingwalson moved rezoning approval subject to staff conditions. Chairman Johnson seconded the motion for discussion purposes.

Commissioner McClelland reiterated she has a problem with the proposed use, and does not believe parking demands can be met. She said the aspect of lower level parking, and the garage door opening and closing is a major issue. She stated she believes not people who come to the site will want to park in the six surface parking spaces, not below. Mr. Larsen acknowledged there will be a transitional period while clients become familiar with how the site works. He added he understands where that majority of the Commission is coming from regarding this proposal, but stated he believes the site will police itself with regard to parking.

Chairman Johnson asked the Commission to indicate with a show of hands if they support office use, no retail. With a show of hands a majority of Commission Members indicated they could support a POD rezoning to office only.

Commissioner Lonsbury said he believes his charge is to view this with a "worse case scenario", adding he can live with a worse case office scenario, but not retail.

Upon roll call vote. Ayes, Ingwalson. Nays, Byron, Lonsbury, Swenson, McClelland, Workinger, and Johnson. Motion to approve denied.

LD-00-8

**Steven M. Paquin/Jeff Miller
3205/3219 West 60th Street**

Mr. Larsen informed the Board the owners of 3205 and 3219 West 60th Street have jointly purchased a strip of tax forfeit land which runs between their lots. The parcel measures 11.5 feet by 128 feet. They now wish to split the parcel and attach the new parcel to their respective lots.

Mr. Larsen concluded staff recommends approval.

Commissioner Byron moved lot division approval. Commission Ingwalson seconded the motion. All voted aye; motion carried.

III. ADJOURNMENT:

The meeting was adjourned at 9:00 p.m.

Jackie Hoogenakker